

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** Chair Jeff Essmann, on February 3, 2017 at 8:00 AM, in Room 152  
Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Jeff Essmann, Chair (R)  
Rep. Kelly Flynn, Vice Chair (R)  
Rep. Tom Jacobson, Vice Chair (D)  
Rep. Kim Abbott (D)  
Rep. Becky Beard (R)  
Rep. Zach Brown (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Dave Fern (D)  
Rep. Wylie Galt (R)  
Rep. Jim Hamilton (D)  
Rep. Adam Hertz (R)  
Rep. George G. Kipp III (D)  
Rep. James O'Hara (R)  
Rep. Alan Redfield (R)  
Rep. Tom Welch (R)  
Rep. Kerry White (R)

##### **Members Excused:**

Rep. Ehli  
Rep. G. Hertz  
Rep. Lavin  
Rep. B. Smith

**Members Absent:** None

**Staff Present:** Margot Miltenberger, Committee Secretary  
Megan Moore, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 309, 1/30/2017  
Executive Action on: HB 47; HB 187; HB 188; HB 226; HB 310; SB 10; SB 53

**HEARING ON HB 309****Opening Statement by Sponsor:**

00:01:45 Rep. Mary Ann Dunwell (D), HD 84, opened the hearing on HB 309, Generally revise housing laws for disabled and criminally convicted individuals.

**EXHIBIT(tah25a01)**

00:03:05 Rep. B. Smith joined the meeting

**Proponents:**

00:10:27 Patti Jacques, Self

**EXHIBIT(tah25a02)**

00:25:25 James Gustafson, Opening Doors

00:28:45 Matt Kuntz, National Alliance on Mental Illness (NAMI)

00:29:22 Beth Brenneman, Disability Rights Montana (DRM)

**Opponents:**

00:32:06 Drew Geiger, Montana Car Rental Association, Montana Collision Repair

00:32:51 Jason Clarke, Enterprise Rent-a-Car

00:35:25 Bob Story, Montana Taxpayers Association (Montax)

00:37:36 Bridger Mahlum, Montana Chamber of Commerce

**Informational Witnesses:** None**Questions from Committee Members and Responses:**

00:38:34 Rep. Redfield

00:39:03 Rep. Dunwell

00:39:55 Rep. Beard

00:40:12 Rep. Dunwell

00:41:11 Rep. Abbott

00:41:40 Beth Brenneman, DRM

00:42:30 Rep. Fern

00:43:30 Beth Brenneman, DRM

00:44:11 Rep. Jacobson

00:45:29 Drew Greiger, Montana Car Rental Association

00:45:48 Rep. Z. Brown

00:46:13 Jason Clarke, Enterprise Rent-a-Car

00:46:23 Rep. Hamilton

00:48:11 Rep. Dunwell

00:49:21 Rep. Jacobson

00:49:59 Drew Greiger, Montana Car Rental Association

00:50:29 Rep. Jacobson

00:50:43 Jason Clarke, Enterprise Rent-a-Car

00:51:26 Rep. Welch

00:51:53 Patti Jacques, Self

00:53:34 Rep. Welch

00:54:05 Bob Story, Montax

00:55:38 Chair Essmann

00:55:59 Rep. Dunwell

00:57:04 Rep. Jacobson  
00:57:36 Rep. Dunwell

**Closing by Sponsor:**

00:59:41 Rep. Dunwell

01:03:54 Recessed  
01:13:55 Reconvened

**EXECUTIVE ACTION ON HB 47**

01:14:28 **Motion:** Rep. Z. Brown moved that **HB 47 DO PASS.**

**Discussion:**

01:14:37 Megan Moore, Legislative Services Division  
01:14:58 Rep. Z. Brown

01:16:42 **Substitute Motion/Vote:** Rep. Redfield made a substitute motion that **HB 47 BE TABLED.** Motion carried 17-3 by voice vote with Rep. Z. Brown, Rep. Fern and Rep. B. Smith voting no. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy.

**EXECUTIVE ACTION ON HB 187**

01:17:56 **Motion:** Rep. Hamilton moved that **HB 187 DO PASS.**

01:18:27 **Motion:** Rep. Hamilton moved that **HB 187 BE AMENDED.**  
[EXHIBIT\(tah25a03\)](#)

**Discussion:**

01:18:44 Megan Moore, Legislative Services Division  
01:18:56 Rep. Hamilton  
01:20:50 Rep. Welch  
01:21:03 Rep. Hamilton

01:21:56 **Vote:** Motion carried unanimously by voice vote. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy.

01:22:36 **Motion:** Rep. Hamilton moved that **HB 187 DO PASS AS AMENDED.**

**Discussion:**

01:22:50 Rep. Redfield  
01:23:24 Rep. Fern  
01:24:01 Rep. Hamilton

01:26:42 **Vote:** Motion carried 18-2 by roll call vote with Rep. Essmann and Rep. White voting no. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy.

**EXECUTIVE ACTION ON HB 188**

01:29:45     **Motion:** Rep. Hamilton moved that **HB 188 DO PASS.**

01:30:10     **Motion:** Rep. Hamilton moved that **HB 188 BE AMENDED.**  
**EXHIBIT**(tah25a04)

**Discussion:**

01:32:54     Rep. Fern  
01:33:13     Rep. Hamilton  
01:34:10     Chair Essmann  
01:34:56     Rep. Hamilton  
01:35:52     Megan Moore, Legislative Services Division (LSD)  
01:36:32     Chair Essmann  
01:36:51     Rep. Jacobson  
01:37:17     Megan Moore, LSD  
01:37:46     Rep. White  
01:38:01     Rep. Z. Brown  
01:38:18     Rep. Abbott  
01:38:28     Rep. Hamilton  
01:39:08     Rep. Fern  
01:39:27     Rep. Hamilton  
01:40:18     Rep. Flynn  
01:40:46     Rep. Hamilton  
01:41:37     Rep. Flynn  
01:42:14     Rep. A. Hertz

01:43:00     **Vote:** Motion carried 10-9 by roll call vote with Rep. Beard, Rep. Ehli, Rep. Essmann, Rep. Flynn, Rep. Lavin, Rep. O'Hara, Rep. Redfield, Rep. Welch and Rep. White voting no. Rep. Ehli and Rep. Lavin voted by proxy.

01:45:17     **Motion:** Rep. Hamilton moved that **HB 188 DO PASS AS AMENDED.**

**Discussion:**

01:45:33     Rep. Hamilton  
01:48:38     Chair Essmann

01:48:55     **Vote:** Motion failed 8-11 by roll call vote with Rep. Beard, Rep. Z. Brown, Rep. Fern, Rep. Galt, Rep. Hamilton, Rep. Jacobson, Rep. Kipp and Rep. B. Smith voting aye. Rep. Ehli and Rep. Lavin voted by proxy.

01:51:43     **Substitute Motion:** Rep. Essmann made a substitute motion that **HB 188 BE TABLED AND THE VOTE REVERSED.** Motion carried.

**EXECUTIVE ACTION ON HB 226**

01:53:20     **Motion:** Rep. Flynn moved that **HB 226 DO PASS.**

01:53:26     **Motion:** Rep. Z. Brown moved that **HB 226 BE AMENDED.**  
**EXHIBIT**(tah25a05)

**Discussion:**

01:53:53 Rep. Galt

01:54:22 **Vote:** Motion failed 9-11 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Hamilton, Rep. A. Hertz, Rep. Jacobson, Rep. Kipp and Rep. B. Smith voting aye. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy.

**Discussion:**

01:56:16 Rep. Z. Brown

01:56:55 Rep. Hamilton

01:57:51 **Vote:** Motion carried 18-2 by roll call vote with Rep. Dunwell and Rep. Essmann voting no. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy.

**EXECUTIVE ACTION ON HB 310**

01:59:52 **Motion:** Rep. Flynn moved that **HB 310 DO PASS.**

02:00:05 **Substitute Motion/Vote:** Rep. Jacobson made a substitute motion that **HB 310 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy.

**EXECUTIVE ACTION ON SB 10**

02:00:53 **Motion:** Rep. Flynn moved that **SB 10 BE CONCURRED IN.**

**Discussion:**

02:00:59 Megan Moore, Legislative Services Division

02:01:19 Rep. White

02:01:53 **Vote:** Motion carried unanimously by voice vote. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy. Rep. Redfield will carry the bill.

**EXECUTIVE ACTION ON SB 53**

02:02:43 **Motion:** Rep. Flynn moved that **SB 53 BE CONCURRED IN.**

**Discussion:**

02:02:52 Rep. White

02:03:05 **Vote:** Motion carried unanimously by voice vote. Rep. Ehli, Rep. G. Hertz and Rep. Lavin voted by proxy. Rep. Galt will carry the bill.

**ADJOURNMENT**

Adjournment: 02:05:05

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Margot Miltenberger, Secretary

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Additional Documents:

**EXHIBIT**([tah25aad.pdf](#))